

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust
Litigation, MDL 2817*

No. 1:18-CV-864

This document relates to:

Hon. Robert M. Dow, Jr.

*Authenticom, Inc. v. CDK Global, LLC et al.,
Case No. 1:18-cv-868 (N.D. Ill.)*

Magistrate Judge Jeffrey T. Gilbert

**DEFENDANT THE REYNOLDS AND REYNOLDS COMPANY’S
MOTION TO SUPPLEMENT THE SUMMARY JUDGMENT RECORD**

Defendant The Reynolds and Reynolds Company (“Reynolds”), respectfully files this Motion to Supplement the Summary Judgment Record with a single document that it recently located in Authenticom’s document production. *See* Ex. “A” (Bates No. “AUTH_00286467 – 00286477”), highlighted and filed under seal due to Authenticom’s confidentiality designation.

The document shows Authenticom employees expressly acknowledging and making light of the criminal nature of their work for Authenticom accessing Reynolds’s system, and is thus directly relevant to at least Dkt. 777 (Reynolds’s Motion for Partial Summary Judgment [on Counterclaims]); and Dkt. 1061 (Reynolds’s Opposition to [Authenticom’s] Motion for Summary Judgment [on Counterclaims]).¹

The document, which is a form of internal Authenticom “chat log,” was produced October 2018 but buried in a production of 59,348 documents (nearly 300,000 pages), including a large number of irrelevant chat logs. Clearly Defendants would have preferred to have located this document prior to their summary judgment filings, but did not locate it until very recently.

¹ More specifically, the document directly supports Reynolds’s Statements of Undisputed Fact Nos. 49-50, 54 set forth in Dkt. 779; and Defendants’ Responses to Authenticom’s Statements of Undisputed Fact No. 28 set forth in Dkt. 1058.

In light of the importance of Ex. “A,” its needle-in-a-haystack history, and the fact that the document does not introduce any new theories or facts, but rather confirms (albeit overwhelmingly) statements of undisputed facts that were already in the record, the Court should allow leave for Ex. “A” to be added to the summary judgment record.

Dated: February 9, 2021

Respectfully submitted,

/s/ Aundrea K. Gulley

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of February, 2021, I caused a true and correct copy of the foregoing Motion to be served on all counsel of record via email.

/s/ Aundrea K. Gulley
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